

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD J. ALLISON,

Case No. 2:21-cv-01321-JAD-NJK

Plaintiff

ORDER

v.

CCDC, et al.,

Defendants

I. DISCUSSION

On July 9, 2021, Plaintiff, an inmate in the custody of the Clark County Detention Center (“CCDC”), submitted a document titled One Million Dollar Class Action Lawsuit. Docket No. 1-1. Plaintiff has not filed a complaint or an application to proceed *in forma pauperis* or paid the full \$402 filing fee in this matter.

Complaint

Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. In addition, any complaint submitted by Plaintiff must comply with Local Special Rule 2-1 (“LSR 2-1”). Under LSR 2-1, a civil rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by the court or must be legible and contain substantially all the information called for by the court's form. As such, the Court grants Plaintiff a **one-time** extension until on or before **September 14, 2021** to submit complaint to the Court in compliance with LSR 2-1. The Court will also provide Plaintiff a copy of the Court's § 1983 complaint form with instructions.

Application to Proceed In Forma Pauperis

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate who financially qualifies may seek to begin a civil action in this Court by applying to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis*

1 status, the inmate must submit all three of the following documents to the Court:

- 2 (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this Court's
 3 approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),
 4 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official
 5 (i.e. page 4 of this Court's approved form), and
 6 (3) a copy of the **inmate's prison or jail trust fund account statement for the previous**
 7 **six-month period.**

8 The Court will grant Plaintiff a **one-time** opportunity to file a complaint in compliance
 9 with LSR 2-1 and a fully complete application to proceed *in forma pauperis* containing all three
 10 of the required documents, or in the alternative, pay the full \$402 filing fee for this action on or
 11 before **September 14, 2021**. Absent unusual circumstances, the Court will not grant any further
 12 extensions of time. If Plaintiff is unable to file a complaint in compliance with LSR 2-1 and a
 13 fully complete application to proceed *in forma pauperis* with all three required documents or pay
 14 the full \$402 filing fee on or before **September 14, 2021**, this case will be subject to dismissal
 15 without prejudice for Plaintiff to file a new case with the Court when Plaintiff is able to file a
 16 complaint in compliance with LSR 2-1 and able to acquire all three of the documents needed to
 17 file a fully complete application to proceed *in forma pauperis* or pay the full \$402 filing fee.

18 A dismissal without prejudice means Plaintiff does not give up the right to refile the case
 19 with the Court, under a new case number, when Plaintiff is able to file a complaint in compliance
 20 with LSR 2-1 and has all three documents needed to submit with an application to proceed *in forma*
 21 *pauperis*. Alternatively, Plaintiff may choose not to file an application to proceed *in forma*
 22 *pauperis* and instead pay the full filing fee of \$402 on or before **September 14, 2021** to proceed
 23 with this case.

24 **II. CONCLUSION**

25 For the foregoing reasons, IT IS ORDERED that Plaintiff will submit a complaint in
 26 compliance with LSR 2-1 to this Court on or before **September 14, 2021**.

27 IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the approved
 28 form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the Court

1 will also send Plaintiff a copy of his One Million Dollar Class Action Lawsuit. Docket No. 1-1.

2 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved
3 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled
4 information and instructions for filing an *in forma pauperis* application.

5 IT IS FURTHER ORDERED that, on or before **September 14, 2021**, Plaintiff will either
6 pay the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52
7 administrative fee) or file with the Court:

8 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's
9 approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page
10 3),

11 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official
12 (i.e. page 4 of this Court's approved form), and

13 (3) a copy of the **inmate's prison or jail trust fund account statement for the previous**
14 **six-month period.**

15 IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint in compliance with
16 LSR 2-1 and a fully complete application to proceed *in forma pauperis* with all three documents
17 or pay the full \$402 filing fee for a civil action on or before **September 14, 2021**, this case will be
18 subject to dismissal without prejudice for Plaintiff to refile the case with the Court, under a new
19 case number, when Plaintiff is able to file a complaint in compliance with LSR 2-1 and has all
20 three documents needed to file a complete application to proceed *in forma pauperis* or pays the
21 full \$402 filing fee.

22 DATED: July 19, 2021.

23
24 
25 NANCY J. KOPPE
26 UNITED STATES MAGISTRATE JUDGE
27
28